

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION**

Steven Grinnell and Vanessa Grinnell,)
both Individually and as Parents/Guardians)
of K.G. and K.G., both minors,)
Plaintiff,)
vs.)
Tovarrian Bradford Russell and Roehl)
Transport,)
Defendants.)

Case No. 2:23-cv-6131-RMG
PLAINTIFFS' RULE 26(a)(3)
PRETRIAL DISCLOSURES

COMES NOW THE PLAINTIFFS, who, pursuant to Rule 26(a)(3), FRCP, hereby submit the following Pre-Trial Disclosures:

1. The name and, if not previously provided, the address and telephone number of each witness—separately identifying those the party expects to present and those it may call if the need arises.

Expected Plaintiff Witnesses:

1. Plaintiff, Steven Grinnell
19 Olde Bridge Lane
Epping, NH 03042
603-793-6397
2. Plaintiff, Vanessa Grinnell
19 Olde Bridge Lane
Epping, NH 03042
603-793-6397

Witnesses if the Need Arises:

3. Demetrius Davis, Witness
259 Grayland Road
Mooresville, NC 28115
704-956-7229

4. **Mike Levendoski, Witness**
803-486-9681
5. **Corporal J.D. Tuten**
c/o South Carolina Department of Public Safety
1033 Wilson Boulevard
Blythewood, SC, 29106

Plaintiffs reserve the right to call any party in their case-in-chief. Plaintiffs reserve the right to call or recall, in their case-in-chief, any witnesses listed by Defendants or testifying in Defendants' case-in-chief.

Plaintiffs reserve the right to cross examine any witnesses named by Defendants and the right to call impeachment witnesses consistent with the Federal Rules of Evidence.

2. The designation of those witnesses whose testimony the party expects to present by deposition and, if not taken stenographically, a transcript of the pertinent parts of the deposition.

Plaintiffs' Deposition Designations:

1. **No deposition testimony has been taken, and Discovery has concluded. However, Plaintiffs reserve the right under Rule 32(a)(2), FRCP, to use deposition testimony to impeach the testimony of deponents when called as witnesses. Plaintiffs also reserve the right to request complete portions of deposition testimony be presented in the event partial testimony is presented by Defendant.**
3. An identification of each document or other exhibit, including summaries of other evidence – separately identifying those items the party expects to offer and those it may offer if the need arises.
 1. **South Carolina Traffic Collision Report.**
 2. **South Carolina Highway Patrol Call History Record.**
 3. **FOIA Response from the South Carolina Department of Public Safety including Uniform Traffic Ticket issued to Defendant and Corporal J.D. Tuten's handwritten notes.**
 4. **Dash cam footage and audio of J.D. Tuten's investigation of the subject incident.**
 5. **Dash cam footage from Defendant Tovarrian Russell's truck.**

6. Any and all documents produced to Plaintiffs by Defendants and/or documents produced to the Defendants by Plaintiff, during the Discovery of said matter.

7. Any and all Exhibits and/or documents used by the Defendants.

Plaintiffs reserve the right to offer complete copies of excerpts identified by any other party to this case as well as materials designated by other parties to this case.

Plaintiffs further reserve the right to use demonstrative evidence at Trial and to present impeachment evidence should the need arise.

Respectfully submitted,

MORGAN & MORGAN

s/Lauren H. Carroway

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ATTORNEYS FOR THE PLAINTIFFS

Hilton Head, South Carolina

March 4, 2025